on the market, the Commission is unable to match the developers who can bring money on the table instantly. They would like to have money available immediately when key parcels become available. With resources, they would like to approach landowners and work out a deal.

Mr. Heaton spoke about Town Meeting turning down such articles three years in a row that not one met with favor with the citizens. He said this was not a new concept and asked if he was thinking of something different in marketing this issue? Mr. Hankey spoke about the many towns in the state who had put aside funds for open space concerns and for this year there was a 36 million dollar campaign which was very successful and was something that had come into the Conservation Commission's thinking.

Mr. Hankey told the Selectmen they were looking to do a five month effort of public outreach. Their intent was to do a great deal of groundwork to educate the public. This came down to simple taxation and putting land aside that improves the tax situation in the community. In response to Mrs. Peterman's question, Mr. Hankey indicate the mechanism for approving land purchases, they have some ideas, but part of the study is to investigate what other towns have done. They have not chosen a specific mechanism and will come back in November and tell the Board what other towns have done and will make a recommendation as to what is best for Amherst. Insofar as selection, they will not have specific recommendations, but have many parcels they want to pursue and there are parcels that are contiguous and very attractive – many are around the Tracking Station. They have ideas about setting up a mechanism and choosing a property is one of the most important things they have to do and they need to inform the citizens ahead of time that large amounts of money are needed.

Mr. Hankey told the Selectmen that they want to look at something for at least one million dollars and they will have to do their homework and look at what the market would bare. Mrs. Peterman commented that the Town raised \$800,000 that purchased Lindabury Orchard and Joppa Hill two years ago. Mr. Dinkel added that the cost of services study is moving slowly and everyone understands now what needs to be completed. It is the most comprehensive attempt on what certain type of development costs the town. Hopefully this study will be ready soon. Some of the towns like Hollis and Stratham have overwhelming success with this.

Mrs. Peterman mentioned that Hollis had been putting money into current use for a very long time. She was not sure, but thought Amherst was one of the first towns to give conservation 50% of current use money with no caps and qualifiers. She asked what the amount was for this year? Mr. Weber advised it was approximately \$342,000. Mrs. Peterman said that when you add it all up, this money has been put aside over many years. Mr. Hankey indicated they would like to undertake a study and include every dollar Amherst has put into this. The study will take "only time" with many calls to other towns. He mentioned the widening of I-93 and thought they have a narrow window of opportunity to set aside open space for the next 5-10 years.

Mr. Heaton said he was curious to know what percentage of land in Amherst is under conservation and what percentage is it compared to Hollis and Stratham? Mr. Hankey thought this was a good question and something they may want to talk about. They should also ask the Board for further suggestions. Mrs. Peterman suggested he check with the NRPC regarding I-93 as they could probably give him some idea of how this will impact Amherst.

Elizabeth Overholt also suggested that when they were making calls to other towns, they might ask how many have combined conservation and recreation parcels. Mr. Hankey said they intend to ask that, but it was a bit "dicey". Some towns seem to shy away from recreation or a school or public use. Each area has certain passions attached to it. In many cases it is a political combination and they will try and get some hard numbers for this. Mrs. Peterman indicated there was a need for other than passive recreation in

town. The other 50% of current use has been carefully set aside for other land purchases that could be for conservation if the Selectmen decided to send it in that direction. Mr. Heaton said it was the Selectmen's job to look at all things. They need to supply some services to the town that they were not servicing. When talking total acres, recreation comes in very small – hundreds of acres compared to 20-30. It is very high on their list to find a place where someone would let them put fields on. Mr. Hankey mentioned they could look at dual use and what they will come back to them with in November will include some case studies. What they want to do is give everyone as much information as possible and put it in an identifiable form. Mr. Dinkel advised that November is the latest they can come back to them on this process.

Mrs. Peterman briefly told him what Hollis had done before bringing it to a Town Meeting vote. The Board set November 10, 2003 as the date to meet with the Conservation Commission relative to the study results and to discuss a potential warrant article.

# FY '05 Budget Calendar

Mr. Weber informed the Board that last year was the first time the departments did their budgets on-line and this year they will be able to pull all their details in faster. They will still be using the budget books and have the liaison and a member from Ways & Means meet with the Department Heads. Mrs. Peterman requested that two Selectmen meet with the Department Heads. Each liaison has a vested interested in their respective departments and a second Selectman may ask questions that were not thought of and thought it in their best interest to do this.

Mr. Heaton indicated they were open meetings and suggested that if any other Selectman wanted to go, it would be fine with him. The meetings, however, should initially be scheduled with two W&M members and the liaison. Mrs. Peterman commented that this worked for 12 years and she did not see why this shouldn't be scheduled again this year. It creates a different view and different questions are asked. Mr. Dinkel saw the merit in her suggestion. If they could get the schedule out in advance, an extra Selectman could attend if possible. He saw merit, but did not want to force everything around this. Mr. Weber mentioned they had touched upon this by the rotating of liaisons. He will make an effort to schedule them now so that they will be in place sooner.

Mr. Heaton commented that the budget process has been cut in half because of SB2 and they should have brought this up again at the joint School Board meeting.

## **Budget Goal Setting**

Mr. Weber advised budget goal setting was scheduled for next week but he wanted to provide the Selectmen with the information ahead of time. Included in the Board's agenda books was CPI information he had obtained. The CPI has come down over the last several months with housing and fuel costing more. He will try and provide more information for them next week. Numbers he included were the dollar amounts based on the percent goal. He thought a 3% goal would be a good place to start and begin working from.

Mr. Heaton indicated they should have an estimate of wage increases that include step increases - this would be a good portion of the 3-3.5% goal. Mr. Weber said with wages and benefits, they were constantly cutting their operating expenses to keep up with the wage expenses. Mr. Heaton felt they needed to know the real wages and what they anticipate health insurance to be so that they can determine what 3-3.5% is left for the operating budget. Mrs. Peterman commented about receiving "true budgets" because departments seem to find "x" number of dollars when something comes up that wasn't budgeted. Mr. Weber remarked they were budgeting 18 months out and many times there were new innovations that

were not present 18 months before. Dick Dyer, Chairman of W&M, suggested they save some money until the end of the budget process. Mr. Weber said if they thought it should be a 3.5% they should make the goal 3% in order to give some flexibility. He mentioned that several years ago, the Selectmen were given a prioritized list. He also advised that last year they had built in three additional weeks for the process and ended up using them.

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## **Working Budget Transfers**

Mr. Weber reported the Fire Chief was requesting a \$3,000 transfer from the tools and equipment line to the uniform line. The uniform line was unfunded and there will be a need for uniforms for the Chief and Inspector. The tools and equipment budget was \$28,600, they encumbered \$10,200 and after expenses \$13,577 remains. \$2,094 has been expended for uniforms to date. Peter Christman from the Fire Department mentioned he had purchased his own equipment. Mrs. Peterman moved to transfer \$3,000 from Tools & Equipment 01-4220-20-2653 to 01-4220-10-2615 Uniforms, second by Mr. Bowler. Vote: Unanimous.

Mr. Weber explained they would like to transfer the remaining 2004 fire clerical lines which include social security, health & dental, deferred comp, etc. (\$32,830.23) into contingency. The original budget was \$5,000 and this would bring it up to \$37,830.23. *Mr. Heaton moved to make this transfer, second by Mr. Bowler.* Discussion: Mr. Heaton indicated that the Board said they would do this at the deliberative session. Mr. Weber advised they would be transferring more later on. *Vote: Unanimous.* 

### **MRI Contract**

Mr. Dinkel told the members that Town Counsel has not gotten back to them with his comments on the MRI contract to provide assessing services. He described it to them last week as a layperson's contract. He explained there was one addition and that was a six-month escape clause found on page 4 under "Term". They were locked in for one year and if either party wanted to terminate the contract they would give six months notice.

Mrs. Peterman said there was nothing in the contract pertaining to designations of the people in terms of their qualifications and it mentions paying "x" number of dollars for professional services. She would like it stated somewhere that at least a portion of the group would have the appropriate assessing designation for people the Board would hire as an assessor. She also mentioned the \$125.00 per hour fee for appearing in Court. Mr. Weber indicated this was above the local level and covers appearances at the BTLA and Superior Court.

Mr. Heaton moved to approve the MRI contract subject to modifications recommended by William Drescher and authorize the Chairman to sign. Discussion: Mr. Weber advised that MRI currently holds the highest designation in the State. Mr. Heaton added they also say that they have the right to assign qualified people. The Board briefly discussed added wording relative to certifications and decided on "the appropriate certifications for the State of New Hampshire". Mr. Bowler seconded the motion. Further discussion: Mr. Dinkel said it was clear from Mr. Lessard's discussion that the sentence reading "The parties mutually agree to deal with each other in a reasonable and forthright manner to bring about a successful conclusion to the services and/or projects undertaken" that they want to make sure they are happy. Mrs. Peterman asked if they were going to have someone come in a review their work and who was going to make sure they do their job? Mr. Heaton thought this would be up to Mr. Weber to make sure they are doing a good job – they don't bring in someone to see if Gary MacGuire or Brian Gleason or Bruce Berry are doing a good job. Mrs. Peterman voiced her concern as it related to Bedford's experience. Mr. Dinkel said they needed to always be vigilant. Vote: 3-0-1, Mrs. Peterman abstained.

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#### Terms of MACC Base Renewal

Mr. Weber explained he had given the Board the old contract and the proposed new one that had some major changes. Mrs. Peterman talked about Town Counsel's opinion. Mr. Weber advised it might be beneficial to read the contract and then the proposed one. The agreement came from MACC Base and he was tracking the changes that were made. He will try and get all their proposed changes so that they can see what the existing contract is and what they are proposing. Mr. Dinkel said it would be a benefit to get a clean one and will try and get a copy from them to see what the differences are.

Mr. Heaton said that in reading Mr. Weber's notes, (and he assumed they were his recommendations) and especially after reading Town Counsel's opinion about renewing the agreement in one year, he was troubled about going only with one year. He thought they should go in with the five years and after reading the opinion, they still can get out within that one year. As much as he disagreed with the games they were playing, Amherst should be making a commitment to MACC Base because they can get out in one year. He would support the five-year agreement. Mrs. Peterman said perhaps they should have a better understanding of management. Looking at where they want to go is probably something they should have looked at awhile ago. Mr. Dinkel agreed. He also said he was unaware there was actually a new contract. Mr. Weber described the provision of the contract that would automatically "kick in", but it could be amended. If Amherst doesn't sign it, they will be out on January 1st. This becomes the one year notice. The contract automatically renews unless the Board of Governors alter the document. They have to vote on the changes before it goes forward.

Mr. Heaton added that in Town Counsel's opinion, if they choose to get out in one year, they would have to have a Town Meeting vote like Greenville did, after that you would give them the one year notice. Mr. Dinkel said that realistically, if they were not comfortable with staying at MACC Base, it would be a year from March. Mr. Weber told the Board that his recommendations came from all the Departments, as well as from Milford. The dissatisfaction concerns dealt with operational issues. In response to Mrs. Peterman's questions, Mr. Weber told the Board that the original agreement was eleven pages and the newer one was 15 or 16 pages. One thing that stood out to him was Center having a second board. Mr. Heaton asked that Mr. Weber put this on a Word document so that they can tract all the changes. Mr. Weber will identify old to new.

Mr. Heaton suggested they support MACC Base unless they have a viable option. The right thing to do is make it work and he thought they made some progress at the last meeting. They should take a bit more ownership in what goes on that they haven't done. Mrs. Peterman asked to be shown, not only something viable, but an alternative. Mr. Weber advised that is why they hired an outside consulting firm to do this for them.

Mr. Weber indicated the second recommendation concerns votes from 1 to 2. Currently Milford and Amherst contribute 70% of the funding and will move to 75%. Based on 75% of the funding they could be outvoted by 25%. For example, the larger communities may want big equipment while the smaller communities don't. Mr. Heaton indicated he was in favor of this since they will be paying the biggest part of the bill. Mr. Weber added that the smaller towns could force them to pay the "big bucks" for these items.

Mrs. Peterman did not want them to perceive Amherst as throwing its weight around. Mr. Weber explained that all the different communities involved in MACC Base follow different procedures and it makes it difficult for MACC Base to do their job. The bigger towns do it one way and the smaller ones do it another way. Mr. Dinkel said that one of the keys is to have an operational plan to make their lives easier. He advised he was meeting with Milford and were moving towards different procedures. Mr.

Heaton did not think this was throwing their weight around. Mrs. Peterman did not think there was any loss to Amherst because there was only one vote for one town.

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Mr. Weber advised this was more consistent with inter-municipal agreements that gave Amherst a share of the bigger picture. Mr. Dinkel summarized they needed to vote on this and he would like to do it when Selectman Steve Desmarais got back. Mr. Weber indicated the third issue pertained to a comprehensive operational plan that included an expected level of service that Amherst should expect, an outline of customer service expectations and a formal accountability process for when the needs are not met. Mr. Heaton did not see how they could make this a condition. Mr. Weber advised that these were conditions that the Department Heads wanted the Selectmen to be aware of before they signed an agreement. Milford had put this out as a capital plan.

Relative to point number four, Mr. Weber, recommended that MACC Base provide an estimated cost increase consistent with the Town's fiscal year and that it be submitted no later than October 15<sup>th</sup> – Mr. Weber indicate he would like a provision that would force them to give him a number ahead of time so that the town could budget accordingly – Amherst was the only town with this fiscal year. The Souhegan Regional Landfill District gives him a number and it would not be difficult for MACC Base to do. Mr. Dinkel indicated the budget process begins mid October and they will have a good idea of where it will go. Mr. Weber explained Amherst's budget was one year beyond where he and they should be. The second six months of the combined budgets were an unknown. MACC Base's minutes were saying even though Amherst was paying in April an amount and paying the remaining amount in July, technically they were in violation. Mr. Heaton said in fairness to MACC Base, they were smaller than the Town of Amherst.

Mr. Weber asked they recognize that both entities were on separate years and asked if they can agree on a certain percentage. For example, if they agree on the capital campaign, the budget may go up \$40,000 and he didn't have this amount budgeted – the funds were only in contingency. The town was at the tail end of a very large fiscal year and could make MACC Base whole at the end of their fiscal year. Mr. Heaton thought MACC Base could have the same issues if something broke. Mr. Weber spoke about issues in the past relating to expenditures being paid out of revenue lines that were not allowed. A ten to fifteen thousand dollar payment will become an issue. He thought they could agree to some type of criteria that will give Amherst a projection. Mr. Dinkel said if there was recognition that they would go above a certain percentage, they would have to wait until July 1<sup>st</sup>.

Mr. Weber indicated that point number five – A cost sharing calculation that considers Amherst Police Department's use of local dispatch and laptop packet cluster and provides a "to be defined" discount to the Town of Amherst was consistent with the possible tonnage suggested by the Souhegan Regional Landfill District. When they met with Milford, their Police Chief thanked Amherst's Police Chief Gary MacGuire for relieving traffic on the radio with the use of their packet cluster. They should recognize that Amherst is not utilizing 100% of MACC Bases' services.

Mr. Dinkel advised the next meeting of the Board of Governors was Thursday night. Mr. Weber indicated that the Board's next thought would be to allow Mr. Dinkel to stay on the Board of Governors until after the new budget begins. Mr. Dinkel stated that they were just beginning the budget process and the contract issues. He felt very welcome at the meeting and was a much different approach than he expected. However, they did have a volunteer who had come forward. The Board took no action on this request.

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#### Other Business

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Mr. Heaton reported on the first **Solid Waste Committee** meeting. They went through the charge and he was, that night, asking for money for a site plan that was a unanimous recommendation by the committee. DPW Director Bruce Berry thought he could find approximately \$6200 in his demolition line expense. Mr. Weber advised they could do a working budget transfer. When they raised the cost for demolition from five cents to ten cents they saw a loss. They have been revamping down the expense and revenue side to mirror each other. The expenditure side was over estimated by \$6000, therefore, there will be money in the expenditure side that can be transferred out and put into the other account. He touched upon the slow down of revenue because some people were putting in dumpsters on their site.

Mr. Heaton indicated that one of the issues in their charge was a December 1<sup>st</sup> deadline. The committee "laughed" and thought a December 1<sup>st</sup> deadline in the year 2004 was more appropriate. They will focus between now and then on short term issues. It will take between four to six weeks to get a site plan. The committee did not want to push the December 1<sup>st</sup> deadline and were not looking at anything outside the site. They were hoping the Selectmen would approve an expenditure of \$6200 and allow Mr. Berry to go forward with this. Mrs. Peterman moved to approve no more than \$6500 to be transferred out of the demolition line and placed into a line called "Landfill Site Plan Engineering", second by Mr. Bowler. Vote: Unanimous.

Mr. Bowler advised the SRLD was also looking at other things and charged Mr. Berry to come up with numbers that will increase the capacity of the trailer system. In answer to Mrs. Peterman's question relative to "bag & tag", Mr. Heaton indicated that one of the philosophical things they talked about was about what the committee should study and then come up with a recommendation. This was not a legal committee that requires a posted meeting and minutes. Mr. Weber thought it was, but will check further on it. Mr. Bowler mentioned that in the past, Mrs. Peterman had requested minutes be given to the Selectmen.

Mrs. Peterman indicated she had received recently several calls as to who makes the hours for **Cemetery Fields** and their opening and closing hours. Mr. Heaton advised that Recreation Director Jim Doane was the person responsible for those times. She thought that they would never make everyone happy – some think they close too early at nights and others think they don't star early enough on Saturday mornings. Because of this, there were cars parked on Merrimack Road and some residents were upset. Mr. Heaton thought the simple solution was to put fencing around the fields that would prevent vehicles going onto the fields. Mr. Dinkel thought a simple solution was having the police, between dusk and dawn, open and close the fields. Mrs. Peterman asked if they could ask the Chief if they could do this.

Mrs. Peterman also commented about complaints she has received about **speeding down Merrimack**Road and the person reporting thought it was teenagers. Mr. Weber advised that when there were complaints such as this, the Police Chief could put out his radar sign in areas used for going to school and going home.

Mrs. Peterman asked when were they going to commit with the **Communications Infrastructure Committee?** Mr. Weber advised they will not be meeting in the Town Hall until after January because of the work being conducted. Mr. Bowler asked about their survey and the status of mailing it out? Mr. Weber explained the town was currently making copies and had copied approximately 2,000 to date and will have the remainder done shortly.

**Regional Round Table:** Mr. Dinkel asked how was the recent meeting? Mrs. Peterman said she was the only Selectman from Amherst and an issue was raised that was not on the agenda. The object of the round table was a bit different now than when they originally started out – it was to have Selectmen and

Aldermen sit down and discuss local issues. She was writing a letter to be sent out to all Aldermen and Selectmen (that she will copy the Amherst Board). The agenda is set by having all communities call NRPC to have items placed on it (such as communications, conflict of interest). If there were issues that needed to be discussed that involved what their State representatives were doing, they would be included at the end of their agenda. This was a suggestion from Cynthia Herman from Milford and with this, hopefully more Selectmen and Aldermen would attend.

There seemed to be no give and take from the floor. DOT spoke about issues on 101 and 101A and the NRPC was concerned about the circumferential highway that had been taken out of the plan. The NRPC is asking towns to lobby for these regional transportation systems. She briefly spoke about the NRPC Director's goals to move this forward.

Mrs. Peterman reported the **Water District** had made much progress during their last several meetings and what is left for writing the Charter was sent out to a small committee. The next meeting they will concentrate on the structure of the group. Karen White is sending a letter to all communities requesting \$5000 from this year's budget as well as budgeting \$5000 in next year's budget. Everyone is being asked for the same amount, with several communities having already made commitments. When the Board receives this letter, she would hope they would vote on it. She advised that Hudson had been through this process with Southern New Hampshire Water and she believed they spent close to \$200,000.

Mr. Heaton commented that this was why he wanted to see a budget. Mrs. Peterman described what will be included in the letter. Mr. Weber asked who would they be sending the money to? She indicated it would be Bedford who would become the fiscal agent. They were the only one who could do this because they have a Council form of government. She was not sure if their goal was to be finished by the end of October. Mr. Heaton asked if Nashua was still participating in this? Mrs. Peterman explained they were and were paying with the intention of handing it over to the District. They will need Counsel to tell them if they can accept this, which would then be turned over to the Water District. Nashua Mayor Bernie Streeter has said this and it was in writing.

Mr. Dinkel indicated that on a future agenda they needed to have a **procedure for press releases** that came about as a result of a meeting with the Cemetery Trustees.

Relative to the **Smith land deed,** Mr. Weber will check on the status. Charlie Tiedemann also went out to check on the **land that Salem Five** is donating to the Town and this will be completed shortly.

Mr. Dinkel reported that he failed to give the draft from the **Amherst Land Trust** to Attorney Beth Fernald relative to specific allowance for managing the **Lindabury Orchard** with provisions. It will be done shortly.

Mr. Heaton nominated Mrs. Peterman to serve on the Town/School New Hampshire School Funding Committee, seconded by Mr. Bowler. Vote: 3-0-1, Mrs. Peterman abstained.

# **Minutes**

Mr. Bowler moved to approve the minute of July 28, 2002, second by Mr. Heaton amended as follows: Line 47 – Insert "protection from" after the word "for"; line 62 change "contract" to "contracted"; line 141 – Strike "was" and insert "Mr. Fagan"; line 173 – change "would" to "should". Vote: Unanimous.

The minutes of August 11 will be reprinted to reflect Mr. Dinkel's changes and sent out to Board members.

408 **Non-Public Session** .09 410 Upon a roll call vote, the Selectmen entered non-public session under RSA 91-A:3 II (a) at 9:28 p.m. 411 412 The Board exited non-public session at 9:45 p.m. and voted unanimously to seal the minutes. 413 414 Upon a motion made and duly seconded, and unanimously voted upon, the Selectmen adjourned the 415 meeting at 9:46 p.m. 416 417 Respectfully submitted, 418 419 Shawn Frydlo Sharon L. Frydlo 420 421 **Executive Assistant**